

The Honorable Robert S. Lasnik

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON; et al.,

NO. 2:18-cv-01115-RSL

Plaintiffs,

v.

**STIPULATED MOTION TO MODIFY
SUMMARY JUDGMENT BRIEFING
SCHEDULE**

UNITED STATES DEPARTMENT OF
STATE, et al.,

**NOTE FOR CONSIDERATION:
APRIL 29, 2019**

Defendants.

I. STIPULATED MOTION

Pursuant to LCR 7(j) and 10(g), the Plaintiff States and the Federal Defendants submit this stipulated motion to modify the remainder of the summary judgment briefing schedule. The Private Defendants do not oppose the relief requested in this motion.

On March 19, 2019, the Court ordered the Federal Defendants to complete their supplementation of the administrative record and produce a privilege log no later than April 16, 2019. Dkt. # 175 (Order); *see* Dkt. # 179 (Supplemental Record). The Court then granted a stipulated motion to modify the summary judgment briefing schedule to accommodate the April 16, 2019 deadline. Dkt. # 178.

Recently the parties discovered that several hundred entries in the filed privilege log (Dkt. # 179-23) are incomplete. The Federal Defendants indicated they would resolve these issues and file a revised privilege log by May 6, 2019. In addition, the Federal Defendants have

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1 filed an unopposed motion to temporarily seal the filed administrative record until no later than
2 May 6, 2019, pending a privilege review of the entire supplemental record. Dkt. # 181.

3 The States and the Federal Defendants agree that a further two-week extension of the
4 summary judgment briefing schedule is warranted to allow sufficient time for the Federal
5 Defendants to file a revised privilege log, and for the States to evaluate the completed privilege
6 log and final certified administrative record. Currently the States' combined replies and
7 oppositions to Defendants' cross-motions for summary judgment are due on May 10, 2019,
8 and Defendants' replies are due on May 24, 2019. *See* Dkt. # 178. The States and the Federal
9 Defendants request that the Court modify this schedule as follows:

- 10 • The States shall file their combined replies and oppositions to Defendants'
11 motions by May 24, 2019.
12 • Defendants shall file their replies by June 7, 2019.

13 DATED this 29th day of April, 2019.

14
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II. ORDER

Pursuant to the above stipulation, it is so ordered.

May 2, 2019.



THE HONORABLE ROBERT S. LASNIK
UNITED STATES DISTRICT JUDGE